

TOWN OF TUPPER LAKE REGULAR TOWN BOARD MEETING

June 12, 2014

Roll Call: Supervisor Patricia S Littlefield
Councilman Michael Dechene
Councilwoman Kathleen Lefebvre

Absent: Councilman John Quinn
Councilman Rick Skiff

Recording Secretary: Laurie J Fuller – Town Clerk

Press: Mary Peryea- Tupper Lake Free Press
Shaun Kittle – Adirondack Daily Enterprise

Also: Paul O’Leary – Assessor/Code Officer
Kirk Gagnier – Town Attorney
Paul Besaw – Littlewolf Caretaker
William Dechene – Highway Superintendent

Absent: Mike Fritts – Youth Activity Director

Guest: Melissa McManus – Town Grant Writer

Establish the Agenda:

Add

11.7 Authorize getting bids for a tractor mower for Littlewolf Campground, bid opening July 7th

10.2 Discuss water level at Setting Pole Dam

1. Approve minutes:

Town Clerk provided each Town Board member a drafted copy of minutes dated April 21st & May 15th 2014 for approval.

Motion to approve minutes as written for meetings dated April 21st and May 15th 2014 was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre

All Town Board Members voted 3/0 Littlefield, Dechene & Lefebvre

2. Melissa McManus:

Melissa provided an update to board members on grants she has obtained for both Town and Village. Melissa stated we had two successful grant applications, the little logger’s playground and renovation of the Littlewolf Beach house. 20,000 is still available in the 2012 grant for Littlewolf beach/campground, will discuss with Supervisor and board at a later date how to utilize the rest. Spoke to Paul O’Leary, Code Officer about a possible grant to update the Town’s Land Use Codes.

Finally Melissa informed the board that an application is being submitted concerning the Raquette River Blueway Corridor and suggest Tupper Lake join in with neighboring Counties and pass a resolution in support of the application.

RESOLUTION # 20/2014

WHEREAS the community of Tupper Lake was a participant in development of the Raquette River Blueway Corridor Strategy for Revitalization developed with funding from the Department of State Local Waterfront Revitalization Program; and

WHEREAS the community of Tupper Lake supports implementation of the goals and projects included in the Raquette River Blueway Corridor Strategy; and

WHEREAS the Village and Town of Tupper Lake prepared a 2013 Revitalization Strategy identifying their waterfront revitalization vision, goals, and priority projects and wishes to advance these goals and projects; and

WHEREAS a notice of funding availability for Environmental Protection Fund grant monies for these purposes has been made by the Department of State Local Waterfront Revitalization Program; and

WHEREAS the Village of Potsdam plans to submit a CFA for this grant funding on behalf of the communities of the Raquette River Blueway Corridor; and

WHEREAS the Village and Town of Tupper Lake seek to review and update their Local Land Use code to ensure that it supports the goals of the Raquette River Blueway Corridor and the Tupper Lake Waterfront Revitalization Strategy and to review and incorporate design guidelines as design standards, as appropriate to advance community interests and character, and to increase tourism visitation.

NOW HERE BE IT RESOLVED:

That the Town of Tupper Lake hereby supports the Village of Potsdam’s application for 2014 CFA Local Waterfront Revitalization Program grant funding and will join in partnership in the activities identified in the application, as described in Attachment A.

The attached Resolution shall take effect immediately.

Date: June 12, 2014

Motion: Councilwoman Lefebvre

Seconded: Councilman Dechene

Absent: Councilman Quinn & Councilman Skiff

Action: Carried 3/0 vote Littlefield, Dechene, Lefebvre

I, Laurie J Fuller, the duly qualified Clerk of the Village of Tupper Lake, New York, do hereby certify that the following resolution was adopted at a meeting of the Town of Tupper Lake Town Council held on June 12, 2014 and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Laurie J Fuller, Town Clerk RMC

Seal of Municipality

3. Approve Abstract of Audited Vouchers:

Town of Tupper Lake
Abstract of Audited Vouchers
Abstract #6 – June 12, 2014
Vouchers #2014-0334 – 2014-0419

Fund		Prepaid/Debit	Unpaid	Total
General	200.01	\$15,998.22	\$32,721.80	\$48,720.02
Highway	200.03	-	\$6,833.76	\$6,833.76
Highway Outside	200.04	\$136.82	\$14,488.20	\$14,625.02
Fire District	200.06	-	-	-
Sewer #5	200.10	\$66.48	\$104.65	\$171.13
Sewer #8-1	200.12	-	-	-
Sewer #8-2	200.13	\$33.24	\$13.21	\$46.45
Sewer #17	200.15	\$33.24	\$1,573.88	\$1,607.12
Sewer #17-1	200.16	-	\$27.09	\$27.09
Sewer #17-2	200.17	-	\$53.71	\$53.71
Sewer #23	200.19	-	\$4,031.60	\$4031.60

Water #3	200.21	\$33.24	\$124.17	\$157.41
Moody Lighting	200.31	-	\$585.83	\$585.83
Water #15	200.36	-	\$31.82	\$31.82
Total for Abstract		\$16, 301.24	\$60,589.72	\$76,890.96

Motion to approve Abstract #6 /2014 in the amount of \$60,589.72 as presented was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

4. Approve Budget Transfers:

Town of Tupper Lake

2014 Budget Transfers

	Account	Detail	Increase	Decrease
Appropriation	909.01	General Fund A	\$26,864.54	
	909.02	Highway Fund DA	\$6,685.09	
	909.03	Highway Fund DB	\$6,685.09	
Fund Balance	90108.01	General Fund A		\$26,864.54
	90108.03	Highway Fund DA		\$6,685.09
	90108.04	Highway Fund DB		\$6,685.09
			\$40,234.72	\$40,234.72

NYS Retirement bill that was under budgeted for the year.

Motion to approve budget transfers as submitted was made by Councilman Dechene

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

5. Approve Monthly reports:

Code Officers

Monthly Report
May 2014

19 Building Permits issued in May

2 Demolition Permits

6 Complaint filed

Completed 25 field inspections

May 2014 miles logged 204

Village Code Officer Pete Edwards informed me on Friday May 23rd that he is back to work and my volunteer responsibilities to the Village as CEO is over.

Please contact me with any questions or concerns.

Respectfully submitted:

Paul O’Leary
Code Enforcement Officer

Town of Tupper Lake

Dog Control Officer

Town of Tupper Lake
Dog Control Report

For the Month of: May

Date: 6-8-2014

Complaints Received	1
Complaints Answered	1
Dogs Captured	1
Dogs return to owner	1
Dogs turned over to DCO	1
Dogs transported to Humane Society	0
Dogs Adopted	0
Dogs Euthonized	0
Dogs treated by Vet	0
Dangerous Dog Complaints	0
Tickets issued	0

Mileage 8 DCO Shaheen R Shaheen

Report prepared by Shaheen R Shaheen DCO

Highway

Highway Superintendent, William Dechene reported they are still working on Hemlock Ledge Road, and starting working today with County and Village on lot for fire station.

Littlewolf Caretaker

Nothing to report

Youth Activity Director

Out sick

Motion to approve Monthly reports as presented was made by Councilwoman Lefebvre

Seconded by Councilman Dechene
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

6. Thank Franklin County:

Supervisor Littlefield wish to thank the Franklin County Highway Department crew & Highway Superintendent Jon Hutchins for all their help in helping our crew in repairing the damage done to Hemlock Ledge Road.
A thank you letter will be sent to them.

7. Employee Hand book Quotes:

Supervisor Littlefield explained the comptroller’s office stated we have an employee hand book in place for non-union employees.

We have three quotes

- 1. Public Sector HR Consultants LLC \$4,500.
- 2. Hamel Resources, L.L.C. \$200.
- 3. Daniel C. McKillip \$3,500.

Board members agreed they would compare price differences and have full board present before taking any action.

Motion to **TABLE** quotes on Employee Handbook until next board meeting was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

8. Water Level of Setting Pole Dam:

Supervisor Littlefield stated there has been some concerns on the water level at Setting Pole Dam, to high at one point now has dropped significantly. Supervisor Littlefield has been in contact with Brookfield power to correct problem.
Councilwoman Lefebvre stated she would like to see about selling dam again, putting up for vote if people want to sell or keep. Mr. Dennis Ryan has contacted her and is still interested in purchasing dam now that it has been appraised.
Supervisor Littlefield suggested that we discuss further when full board is present.

9. Amended Littlewolf Rules & Regulations:

Resolution #21/2014
2014 LITTLE WOLF BEACH
RULES & REGULATIONS
PLEASE READ CAREFULLY
AMENDED 6-12-2014

Welcome to the Town of Tupper Lake’s Little Wolf Campground and Beach!
We’re so happy you’ve chosen to spend time with us.

There are a few rules in order to make everyone’s experience fun, safe, and enjoyable.

TOWN ORDINANCE: No ATV’s (3 & 4 Wheelers) or dirt bikes allowed. There is one 4-wheeler owned by the Town and used only by a town employee for work purposes only on the grounds.

ARRIVAL/DEPARTURE: Check in time is 2 p.m. or later. Check out time on the day you leave is 12 p.m.

PAYMENT: Full payment for entire stay is due at check-in. Seasonal Rentals payment is due in full by May 1st

BEACH: Absolutely no one in the water unless the lifeguards are on duty and only within the roped beach area. Hours are 10 a.m. to 8 p.m. and only when the season begins in June, once school is out.

VEHICLES: No more than 2 vehicles at a site at any given time. Parking is available by beach area.

SPEED LIMIT: drive slowly on the grounds – 10 MPH. Speeding WILL NOT be tolerated.

WILDLIFE: Please remember there are bears and other critters around. Do not leave items out that they will find desirable. Please bag garbage and place it in the dump trailer located near the entrance. **Do not** feed ducks, geese, and seagulls.

SEWAGE: There is a dump station near the front entrance. There is a \$10 charge for non-campers and non-residential dumps.

DOGS: You must provide proof that your pet(s) is current on all required shots prior to check-in. All pets must be attended, leashed and cleaned up after in all areas of the campground.

CAMPFIRES: Must be attended at all times. A maximum of half cord (4’ x 4’) of wood shall be stored per camp site. During burn bans, no fires of any type are permitted. Please do not place ashes in the trailer – if you need a pick-up of ashes let us know.

SMOKING: Prohibited around concession stand and on beach.

LITTERING: Prohibited in every area of the campground.

NOTICE: All campers and their visitors are required to conduct themselves in a respectable manner. Loud vulgarity will not be tolerated. Quiet hours are to be observed from 10:00 p.m. to 8:00 a.m. All children must obey the curfew of 9:30 p.m. and be at their campsite or accompanied by a parent. **No children under the age of 18 may be left at the campground without a responsible adult supervising them. Children 5 years and under must be supervised at all times in playground area.**

OTHER ITEMS: Cable TV is available at each site. You must make your own arrangements with the Time Warner Cable.

As the summer goes on, we will be working on renovations and repairs as well as normal daily maintenance. Suggestions are always welcome, but we do operate under a budget!

The snack bar will be up & running Memorial weekend with more added as time goes on. We appreciate your business. We will also have some extra items – wood, ice (cubes).

Little Wolf Beach Campgrounds reserves the right to take any action at equity and/or law that we deem appropriate to enforce the Rules and Regulations of Little Wolf Beach Campgrounds.

All campers and their visitors are required to obey all municipal ordinances, resolutions and other laws, all county regulations and laws, all state laws and all federal laws.

Thank you in advance for your cooperation and let’s have a great summer!

***If there is any problem let us know. We cannot correct or fix the problems if we do not know about them.**

Date: June 12, 2014

Motion: Councilman Dechene
Seconded: Councilwoman Lefebvre
Absent: Councilman Quinn & Councilman Skiff
Action: Carried 3/0 vote Littlefield, Dechene, Lefebvre

10. Concession Agreement:

Resolution #22/2014

CONCESSION AGREEMENT

THIS AGREEMENT made this 12 day of June, 2014, between the TOWN OF TUPPER LAKE, a municipal corporation of Franklin county, New York with offices at 120 Demars Boulevard, Tupper

Lake, New York (hereinafter referred to as the “Town”), and Paul Besaw of Tupper Lake, New York (hereinafter referred to as the “Concessionaire”);

WITNESSETH:

WHEREAS, the Town owns and operates the Little Wolf beach, Picnic area and campsite in the Town of Tupper Lake, which includes a snack bar; and,

WHEREAS, the Concessionaire has been employed by the Town to operate the Little Wolf beach, campsite and picnic areas, and as part of the consideration for Concessionaire’s duties to maintain and control those areas, the Town will grant the Concessionaire the concession to operate the snack bar at the beach.

NOW THEREFORE, for valuable consideration and in consideration of the mutual promises conveyed herein, the parties hereby agree as follows:

1. The Town grants to the Concessionaire the sole and exclusive right and privilege to operate the Little Wolf snack bar for the period beginning with the date this agreement and terminating with close of the campsite and beach area in September of 2014.
2. The Concessionaire shall have the exclusive occupancy of the snack bar building at the Little Wolf beach for the term of this agreement and shall operate the snack bar during the hours of the snack bar beyond the beach area hours, if he so desires. The Concessionaire shall operate the snack bar on a basis substantially similar to previous years, and shall be solely responsible for the purchase of food and other items for sale, and shall be entitled to retain all of the proceeds of such sales.
3. The Town shall be responsible for all electricity and other utilities furnished to the campsite and snack bar, as well as all cleaning and other supplies necessary to operate and maintain the beach, campsite, snack bar, picnic area and restrooms as required hereunder.
4. The Town assures the Concessionaire that the cooking and refrigeration equipment in the snack bar will be in working order at the commencement of this agreement. The town will replace or repair equipment due to ordinary wear and tear, and Concessionaire will make all repairs to such equipment as a result of any damage caused by himself or his agents or representatives or otherwise.
5. The Concessionaire assumes all risk in the operation of the snack bar pursuant to this agreement and shall be solely responsible and answerable in damages for all accidents or injuries to person or property resulting therefrom.
Concessionaire hereby covenants and agrees to indemnify and keep harmless the Town and its officers and employees from and all claims, suits, losses, damage or injury to person or property of whatsoever kind and nature, whether direct or indirect, arising out of the operation of said snack bar pursuant to this

agreement or the carelessness, negligence or improper conduct of the concessionaire or his servants, agents or employees.

- 6. The Concessionaire shall provide public liability insurance to protect the Concessionaire and the Town and their officers and employees from any claim for damages, which may arise from the operation of the concession by the Concessionaire.
- 7. The Concessionaire shall maintain the snack bar and all equipment therein in good repair and shall be surrendered by the Concessionaire to the Town at the expiration of this agreement in as good condition as when received, reasonable wear and tear and damage by the elements accepted.
- 8. The Concessionaire will not assign, transfer, sublet or otherwise dispose of this contract, to any other person, company or corporation without the prior written consent of the Town.
- 9. This agreement may only be modified, cancelled, renewed or extended by agreement in writing executed by the parties hereto and approved by the Attorney for the Town of Tupper Lake.
- 10. If Concessionaire shall fail to comply with the terms of this agreement, the Town may terminate this agreement upon ten (10) days with written notice, and upon such termination, the Town shall have the right to take possession of the snack bar and remove therefrom the property and effects of the Concessionaire.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement as of the day and year first above written.

TOWN OF TUPPER LAKE

Witness

Patricia S. Littlefield, Supervisor

Laurie J Fuller Town Clerk

Paul Besaw, Caretaker

Date: June 12, 2014
Motion: Councilwoman Lefebvre
Seconded: Councilman Dechene
Absent: Councilman Quinn & Councilman Skiff
Action: Carried 3/0 vote Littlefield, Dechene, Lefebvre

11. Accept Jon Duhaime’s resignation:

Motion to accept Jon Duhaime’s letter of resignation as a Heavy Equipment Operator for the Towns Highway Department effective June 1, 2014 was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

12. Approve members attending
Local Government Day in October:

Motion for Local Government Members to attend the annual conference October 14, 2014 in Potsdam, New York was made by Councilwoman Lefebvre.

Seconded by Councilman Dechene
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

13. Approve Letter of Support
for Biomass Fired District Heating System:

June 10, 2014

NYSERDA PON 2951
17 Columbia Circle
Albany, NY 12203-6399

**Project Title: Construction of District Heating Piping loop for the Village of Tupper Lake,
NY Community Biomass Fired District Heating System**

Dear Sir or Madam,

The Town of Tupper Lake, New York strongly supports the subject application for implementation of a biomass fired district energy system in the Village of Tupper Lake, NY.


We believe that the proposed project provides an important opportunity to start the implementation of a renewable biomass fired district energy system in the Town and Village of Tupper Lake, NY and recognize the following benefits:

- Implement one of the first biomass fired district energy system in the United States.
- Reduced energy expenditures for commercial, institutional, industrial and residential customers
- Retain energy dollars in the community.
- Enhance economic development and job creation.
- Help to retain the existing jobs at the Sunmount OPWDD
- Reduce the Greenhouse Gases and Improve the environment
- Enhance the Value-Added Business for our wood loggers
- Improve the profitability of forest processing facilities
- Create additional jobs for the biomass production industry in Tupper Lake.

Our support for the project will include:

- Making available the expertise and efforts of our staff to achieve the project goals
- Participate in Project Assessment Work Group.
- Facilitate the implementation of the biomass fired district energy system
- Assistance in marketing the system to potential users.

Our in-kind labor contribution toward the project is estimated to be \$23,000. We look forward to your support of this project and your favorable evaluation of the application.

Sincerely,

Patricia S. Littlefield
Supervisor

TOWN CLERK’S CERTIFICATION

State of New York

:SS:

County of Franklin

I, the undersigned Clerk of the Town of Tupper Lake, Franklin County, New York,
DO HEREBY CERTIFY:

THAT I have compared the attached proceedings of the Town Board of the Town of Tupper Lake including the resolution contained therein with the originals thereof on file in my office and that the same is a true and correct copy of the said original as recorded in the

minutes of the Town Board meeting dated June 12, 2014 and filed in the Office of the Town Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Tupper Lake, New York this 12th day of June, 2014.

seal

Laurie J Fuller
Town Clerk
Town of Tupper Lake

Councilwoman Lefebvre made motion for Supervisor to sign and send letter of support for Biomass Fired District Heating System grant.

Seconded by Councilman Dechene
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

14. Approve advertising for 2,000 ton
crusher run:

Highway Superintendent, William Dechene is requesting bids for 2,000 ton course crusher run.

Motion to put out to bid for 2,000 ton course crusher run, with bid opening date of July 7, 2014 was made by Councilwoman Lefebvre.

Seconded by Councilman Dechene
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

15. Approve advertising for Utility Tractor
for Littlewolf campground:

Littlewolf Caretaker, Paul Besaw is requesting a new utility tractor for Littlewolf beach/campground

Motion to go out to bid for a Utility Tractor for Littlewolf Campground with bid opening of July 7, 2014 was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

16. Executive Session:

Motion to enter into executive session at 7:50 p.m. to discuss pending litigation, sale of real property, and matters leading to the appointment or removal of a particular corporation was made by Councilwoman Lefebvre.

Seconded by Councilman Dechene
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

Motion to enter out of executive and enter into regular meeting at 8:40 p.m. was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

17. Hire Legal Council:

A motion for Paul O'Leary, Town's Assessor/Code Officer to move forward in seeking legal counsel for zoning issue, because conflict with Town Attorney, was made by Councilman Dechene.

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

18. Adjournment:

Motion to adjourn at 8:42 p.m. was made by Councilman Dechene

Seconded by Councilwoman Lefebvre
All Town Board Members voted AYE 3/0 Littlefield, Dechene, Lefebvre

Laurie J Fuller – Town Clerk RMC